

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:11cv62

LUIZ ARRIAGA,)	
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
)	
ALVIN W. KELLER, JR.,)	
Secretary, North Carolina Dept.)	
of Correction, and SID)	
HARKELROAD, Administrator,)	
Marion Correctional Inst.,)	
)	
Respondents.)	
_____)	

THIS MATTER is before the Court upon the Petitioner Luiz Arraiga's Motion to Hold Federal Habeas Proceedings in Abeyance [Doc. 2].

The Petitioner moves to hold this case in abeyance pending the exhaustion of his state court remedies. The Petitioner states that he filed a motion for appropriate relief in the county of his conviction on March 24, 2011. [Id. at 1]. The Court will grant the Petitioner's motion and will direct the Clerk of Court to administratively close the case, thereby removing it from the Court's active docket.

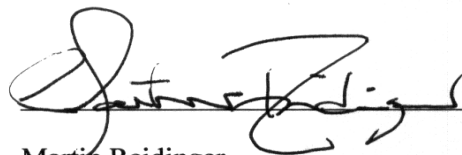
IT IS, THEREFORE, ORDERED that Petitioner's Motion to Hold Federal Habeas Proceedings in Abeyance [Doc. 2] is **ALLOWED**.

IT IS FURTHER ORDERED that counsel for the Petitioner shall file a report with the Court providing the status of the collateral proceedings that remain pending in the state courts every 60 days beginning **JULY 1, 2011**.

The Clerk of Court is directed to administratively close this action and remove it from the Court's active docket. Upon receipt of a final ruling from the state courts, Petitioner's counsel may move to reopen this action.

IT IS SO ORDERED.

Signed: May 10, 2011


Martin Reidinger
United States District Judge

